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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/605,602	06/28/2000	Srivatsan Parthasarathy	MS146909.1	5788

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EXAMINER

ARANI, TAGHI T

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/605,602

Applicant(s)

PARTHASARATHY ET AL.

Examiner

Taghi T. Arani

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 28 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Detail Office Action

1. Claims 1-24 have been fully reconsidered and are pending.

Reopening of Prosecution - New Ground of Rejection After Appeal

2. In view of the Appeal Brief and persuasive arguments filed on 4/28/2005 and after Examiner's consultation PROSECUTION IS HEREBY REOPENED. A new ground of rejection set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111; or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over prior art of record US Patent No. 6, 021, 491 to Renaud and further in view of EP 0 849 658 A2 to NCR International Inc. (hereinafter "NCR").

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As per claims 1, 12, 16, and 19, Renaud teaches:

providing a key pair having a public key and a private key (column 3, line 40);

hashing the assembly (column 3, line 27);

encrypting the hash of the assembly with the private key (column 3, lines 35-40); and

relating the encrypted hash to the assembly (column 3, lines 25-42).

It is noted (as persuasively argued by the Applicant) that Renaud is silent in disclosing providing the assembly with a manifest that contains the public key.

However NCR discloses a secure data processing method and system which includes a central processing unit, an operating system and a file system (abstract).

NCR further teaches a file system (i.e. assembly) having a digital signature identifying the data (page 2, column 1, lines 27-64). NCR's method and system performs a checking algorithm to calculate an authentic digital signature for the data using a public key directory (col. 2, lines 26-47, i.e. a manifest).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Renaud's digital signature for data stream and data archives to incorporate the public key directory of NCR to restrict access for updating files and to delete invalid changes in real time to prevent system compromise before damage can occur (see NCR, column 1, lines 20-23)

As per claims 2, 13, and 20, Renaud as modified teach the step of providing a

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referencing assembly that references the assembly with a manifest that contains a token of the public key (NCR, column. 2, lines 40-43).

As per claims 3, 14, 18, 21, and 22, Renaud teaches determining if the contents of the assembly has been modified by decoding the encrypted hash value with the public key, determining an actual hash of the contents of the assembly and comparing the decoded encrypted hash with the actual hash (column 4, lines 1-18).

As per claim 4, Renaud teaches the step of determining if the publisher of the assembly is the owner of the private key (column 4, lines 11-17).

As per claims 5, 15, and 23, Renaud teaches the step of determining if the publisher of the assembly is the original owner of the key pair comprising the step of comparing the token of the public key in the referencing assembly with the public key stored in the manifest of the assembly (column 3, lines 42-49 and column 4, lines 11-17 and column 7, lines 44-45).

As per claim 6, Renaud teaches determining if the contents of the assembly has been modified by decoding the encrypted hash value with the public key, determining an actual hash of the contents of the assembly and comparing the decoded encrypted hash with the actual hash (column 4, lines 118).

As per claim 7, Renaud teaches the step of determining if the publisher of the assembly is the original owner of the key pair (column 4, lines 11-17).

As per claim 8, Renaud teaches the step of determining if the publisher of the assembly is the original owner of the key pair comprising the step of storing the public key in a storage medium and comparing the public key in the storage medium with the public key in the manifest (column 3, lines 42-49 and column 4, lines 11-17 and column 7, lines 44-45).

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As per claim 9, Renaud teaches an assembly including a manifest that contains a public key and a hash of the contents of the assembly encrypted by a private key, the private key and the public key forming a key pair, the encrypted hash being referenced to the assembly (column 3, lines 30-49).

As per claim 10, Renaud as modified teach a referencing assembly that references the assembly, the referencing assembly including a manifest that contains a token of the public key of the assembly (NCR, column. 2, lines 40-43).

As per claims 11 and 24, Renaud teaches the assembly being a dynamically linked library (column 3, line 33).

As per claim 17, Renaud teaches a binding component adapted to provide binding policy information for determining a version of an assembly that an application program will run if another assembly having the same name resides on the system (column 3, line 42).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Taghi T. Arani whose telephone number is (571) 272-3787. The examiner can normally be reached on 8:00-5:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Taghi T. Arani, Ph.D.

Examiner

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7/20/2005